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Dated: August 5, 2005

Signature: Katherine Neville

(Katherine Neville)

Docket No.: 30610/39383
(PATENT)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zankel *et al.*

Fee only

Application No.: 10/600,862

Filed: June 20, 2003

Art Unit: 1646

For: USE OF THE CHAPERONE RECEPTOR
ASSOCIATED PROTEIN (RAP) FOR THE
DELIVERY OF THERAPEUTIC
COMPOUNDS TO THE BRAIN AND OTHER
TISSUES

Examiner: Daniel Kolker

RESPONSE TO OFFICE ACTION DATED MAY 6, 2005

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to an Office Action dated May 6, 2005 in which the Examiner rejected claims 14 and 17-24 variously under 35 U.S.C. §§ 112 and 103. Reconsideration is respectfully requested in light of the following amendments and remarks. This paper is timely filed without resort to government extensions. If necessary, however, please charge any deficiency in fees to our Deposit Account No. 13-2855.

Amendments to the Specification. There are no amendments to the specification.

Amendments to the claims are reflected in the complete listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.

E. Double Patenting

The Examiner provisionally rejected claims 14, 17-20 and 22 under the doctrine of obviousness-type double patenting as unpatentable over claims 1-16 of co-pending, co-owned application No. 10/812,849, in view of Russell. Applicants submit that application no. 10/812,849 is a continuation-in-part of the present application, having a later filing date and publication date than the present application. One of skill in the art could not have motivation combine this reference with Russell at the time of filing to derive the claimed subject matter.

Applicants note the Examiner's rejection and will address the issue when claims have issued in one of the applications.

V. Conclusion

Applicants submit that all claims are in condition for allowance and request an early notification of the same. The Examiner is invited to contact the undersigned with any questions, comments or suggestions relating to the referenced patent application.

Dated: August 5, 2005

Respectfully submitted,

By 

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